



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB0066

Introduced 1/27/2011, by Sen. Ira I. Silverstein

#### SYNOPSIS AS INTRODUCED:

755 ILCS 5/24-5.1 new

Amends the Probate Act of 1975. Provides that before the distribution of a firearm to the distributee of an estate, other than a small estate or an estate independently administered, the representative must transmit to the court a written statement that the distributee is lawfully eligible to own and possess a firearm under the federal Gun Control Act of 1968, the Criminal Code of 1961, and the Firearm Owners Identification Card Act and that the distributee possesses a valid Firearm Owner's Identification Card issued in his or her name by the Department of State Police. Provides that if the court is satisfied with the validity of the written statement, the court shall order the distribution of the firearm to the distributee. Provides that if the court is not satisfied with the validity of the written statement, the court shall order that the firearm be placed in the custody of the court until the distributee meets the requirements of this provision within a time period set by the court. Provides that if the distributee fails to meet the requirements within the time period set by the court, the court shall order the firearm to be disposed of in a manner prescribed by the court.

LRB097 02886 RLC 42910 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Probate Act of 1975 is amended by adding  
5 Section 24-5.1 as follows:

6 (755 ILCS 5/24-5.1 new)

7 Sec. 24-5.1. Distribution of firearms. Before the  
8 distribution of a firearm to the distributee of an estate,  
9 other than a small estate or an estate independently  
10 administered, the representative must transmit to the court a  
11 written statement that the distributee is lawfully eligible to  
12 own and possess a firearm under the federal Gun Control Act of  
13 1968, the Criminal Code of 1961, and the Firearm Owners  
14 Identification Card Act and that the distributee possesses a  
15 valid Firearm Owner's Identification Card issued in his or her  
16 name by the Department of State Police. If the court is  
17 satisfied with the validity of the written statement, the court  
18 shall order the distribution of the firearm to the distributee.  
19 If the court is not satisfied with the validity of the written  
20 statement, the court shall order that the firearm be placed in  
21 the custody of the court until the distributee meets the  
22 requirements of this Section within a time period set by the  
23 court. If the distributee fails to meet the requirements within

1 the time period set by the court, the court shall order the  
2 firearm to be disposed of in a manner prescribed by the court.